

On April 2, 2015, City of Chicago Department of Public Health (CDPH) Inspectors Felipe Garcia, Chris Antonopoulos, and John Singler responded to a Chicago Police Department (CPD) search warrant in progress at GOMEZ RECYCLING (GOMEZ), 4600 W. Chicago Avenue, Chicago, IL. Inspectors responded to the search at the request of the CPD. Upon arrival at GOMEZ, inspectors were met by CPD Auto Theft Division Sergeant [REDACTED] and other CPD officials including the unit's Lieutenant and District Commander [REDACTED]. Sergeant [REDACTED] provided a thorough tour of the facility, lasting approximately one hour. During the tour a covered manhole was discovered within the open courtyard under a work bench and other debris. The manhole was adjacent to another opening in the floor which was directly to the east of the manhole. The courtyard had previously been an enclosed section of the building's structure that at one time housed a large bakery. The courtyard was the center of the bakery, but a fire burned off the roof of the inner structure creating an open courtyard in the center of the property. The courtyard is currently used for storage of engines, transmissions and various other automotive related pieces of equipment. Upon observing the covered manhole, a telephone call was placed to the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) for an emergency response. MWRDGC Environmental Specialist Steven Spiewak arrived at GOMEZ within the hour. Spiewak joined the tour of the facility and a number of additional floor drains were observed, including some drains completely filled with oil and solid debris. A decision was made to dye test the covered drain in the courtyard, and debris was removed from the top of the drain. Chicago Department of Building's Managing Deputy Commissioner Marlene Hopkins contacted City plumbers who were prepared to flood the sewer lines beneath GOMEZ to determine flow of wastes from the property.

One, thirty gallon barrel of rainwater placed into the courtyard drain was sufficient to trace dye from GOMEZ to the City sewer along Chicago Avenue (Photo F). Flow from the courtyard drain to the City sewer on Chicago Avenue took approximately three minutes (Photo G).

In addition to the direct discharge from the facility, a number of potential additional violations were observed. A bailing device was observed in Room 110. The bailer did not appear to be used currently based upon the amount of debris in front of the device. A second bailer was observed in the courtyard. Neither of the bailers have air permits from the CDPH.

Residential air conditioner units with compressors were located on site. Paperwork for the units will be researched upon receipt of search data from the Chicago Police.

Oil or oily residue was located in a number of locations throughout the property. At least twenty cubic yards of oil accumulated sawdust was observed in piles and throughout the grounds. (Photos R,S,T,U,V,W). Room 102 contained totes containing what appeared to be used oil. The totes contain approximately 250 gallons of materials, and of the 8-10 totes observed, most were filled one half or more. A permanent tank with a capacity of approximately 200 gallons is located west of Room 104. The tank held contents but amounts were not estimated. A telephone call was placed to a phone number located on the plastic totes, and information regarding GOMEZ's contract for oil recycling is forthcoming. No oil has been removed from the site by the listed contractor since prior to September 2014.

In Room 104, were three or more "Gaylord" boxes containing catalytic converters. (A Gaylord box is a large corrugated box approximately 48"x40"x36"). Estimates by police officials exceed 250 catalytic converters within the Gaylord boxes. The Gaylord boxes were located behind a corrugated metal wall and were not in plain view. (Photos H, I and J).

Site cleanliness issues were noted that were similar to conditions of the facility on January 27, 2015, the date of the last CDPH inspection. At that time a ticket was written for accumulation of standing water and spot cleaning of debris/trash materials. Oily debris is located throughout the facility on all floors and in all drains.

Documentation regarding the origin of the catalytic converters is being sought by Chicago Police, and a forensic team was searching the offices during the time of the CDPH inspection for all paperwork related to the purchases. Data obtained by CPD's forensic team to be forthcoming.

A fire in or about January 2015, allegedly took place within the main office of GOMEZ. The fire was not reported to CDPH, which is a special condition of GOMEZ's permit, Attachment B, Special Conditions, Record Keeping, Number 28.

Potential Violations of the Illinois Environmental Protection Act.

Section 12:

- (a) Discharge of contaminants into the environment.
- (d) Deposits of Contaminants upon the land as to create a water pollution hazard.
- (f) Discharge of Contaminants into waters of the State without a permit.

Section 21:

- (a) Open Dumping of any waste
- (d) Prohibition of Deposit of any contaminant upon land to create a water pollution hazard
- (e) Prohibition of disposal, treatment, or storage or abandonment of any waste

35 Illinois Administrative Code 620.115 and 620.301(a) Prohibition of releases of any contaminants to a resource groundwater

Chapter 11-4 Environmental Protection & Control

11-4-030 (B)(2)

Potential Permit Violations: City of Chicago Class IV-Recycling Facility Permit:

Attachment B, Special Conditions

Material Handling:

1. The Facility is not authorized to handle materials which include, but are not limited to.....stolen goods (catalytic converters, undocumented).
5. If accepting any small appliances, air compressors/air conditioners....without proper refrigerant recovery paperwork.
6. Permittee shall conduct dismantling and liquid draining activities away from open drains.... Not cleaning oil spills throughout the facility....

Material Storage:

- (12) The permittee shall provide secondary containment for all tanks, drums or other vessels.
- (14) The permittee shall store all automotive parts salvaged from junk vehicles at least 18" off ground.

Attachment B, Special Conditions Housekeeping, Dust Control, Maintenance:

- (19) The permittee shall clean all Facility areas, including but not limited to, the area on which vehicle parts are dismantled each operating day.
- (23) The Facility shall have personnel for patrolling the site and adjacent properties for litter. Permittee shall properly remove and dispose of any litter on site.

Record Keeping:

- (26) The permittee shall maintain a system for documenting the receipt of regulated and prohibited materials (catalytic converters)...in accordance with Section 11-4-2625, of the Municipal Code and the Rules and Regulations for Recycling Facilities.
- (28) The permittee shall maintain a written record of emergencies occurring at the facility (Fire in office area, January 2015), and notification of incident to CDPH.
- (30) The permittee shall maintain documentation required in Special Condition Number 5 regarding refrigerant recovery, on site for a period of three years.

Permits:

- (35) The permittee shall obtain an Air Pollution Control permit and maintain an active Certificate of Operation from CDPH (two bailers on site).

11-4-1040

Prohibited Wastes

Except as otherwise provided herein, no person shall discharge or cause to be discharged any of the following described wastes or waters into any sewer, water course, and natural outlet or waters within or partially within or adjoining the boundaries of the City of Chicago.

2 (g): Solid or viscous wastes which cause obstruction to flow in sewers or other interference with the proper operation of the sewage system or sewage treatment works such as grease...or lubricating oils.

11-4-1500

Treatment and disposal of solid or liquid waste

No solid or liquid waste shall be disposed of within the City of Chicago except as in accordance with this chapter. (Sections a-e).